

U.S. Patent Application Serial No. 10/594,149

REMARKS

The amended claims recite associating a level indicating a *reliability* of each of the plurality of map component information in accordance with the length of the elapsed time with each of the plurality of map component information. This is supported in the specification at various places. For example, “when it is judged that thirty minutes have elapsed, the elapsed time judging unit 189 judges that the guidance 162A having such time information 121C, 122C is comparatively old and the *reliability* of the guidance 162A has been degraded. Accordingly, the elapsed time judging unit 189 sets “Level 2” and associates the guidance 162A with flag information relating to “Level 2” (Step S208)”

In response to the outstanding Official Action:

§ 112. In the previous Action the Examiner made a rejection based solely on the phrase “time information.” In the present rejection has withdrawn that basis of rejection by not repeating it; that rejection was traversed, and the phrase still appears in the claims. The phrase “time information” is not mentioned in the present rejection.

The Examiner now makes a different and new rejection under § 112 based on “one of a plurality of map component information.” This rejection is respectfully traversed on the basis that there is no explanation of what is indefinite. This phrase is perfectly grammatical: the Applicant notes that “information” is a continuous thing, neither singular nor plural (like “water” or “money”), while “component” is singular. Regardless, the present amendments are believed to address this new rejection.

Appropriate correction is required, but the Applicant does not know what sort of correction is being requested. Suggestions from the Examiner are solicited.

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§ 103. Claims 1, 6, 7, 9, 11, 13, and 15 are rejected under 35 U.S.C. §103(a) as being unpatentable over Yoshida (U.S. Patent No. 5,699,056) in view of Myochin, US 2005/0053310. This rejection is respectfully traversed.

**Yoshida.** At the bottom of page 3 the Action cites Yoshida at Fig. 15, steps 101-102, and col. 17, lines 18-43, for time of acquiring information. Fig. 15 is discussed at col. 14, lines 15-43, which relates to reports on where the car is, not to traffic conditions. Meanwhile, the cited text in col. 17 discloses the same basic idea, "Information transmitted *to* the center 9 *from* the on-vehicle apparatus 3" (col. 17, line 21; emphasis added).

**Myochin.** The Examiner admits (page 4, line 6) that Yoshida does not disclose alteration of transparency of the map component information in accordance with the time elapsed from acquiring or generating the map component information, and asserts that Myochin does.

Myochin only discloses that mask information is superimposed: transitional display of two images, where one of the images is blurred as the other emerges.

Does this amount to a change in *transparency*? The Examiner is invited to consider:

(1) Myochin's two images (its composite image data 10) are previously stored in storage section 110 (paragraph 0032). Elapsed time, whether from acquisition or generation of the images, is not counted anywhere. If it were (not admitted), it would be useless to Myochin.

The Examiner asserts that "time 0 is starting time, time x is predetermined time, where y is the elapsed time;" this is respectfully but strenuously traversed. Time y is actually the time at which the image data 11B is masked and time x is actually the time at which it fully emerges (paragraph 0150). No relations between x and y are characterizable either as "elapsed time" or "predetermined time."

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That is, the times  $x$  and  $y$  relate only to the display itself, i.e., the time of *display*—they are completely unrelated to anything external, such as when any displayed information was *acquired*. Therefore, they do not meet the claim language relating to the elapsed time of the data.

The applied paragraph reads, “[0150] Image switching operation from the image data 1A to image data 1B will be described .... The transmittance of the mask cell data 23 to be superposed on the image data 1A is maintained ... to time  $x$ , and the transmittance of the mask cell data 23 to be superposed on the image data 1B is maintained ... from time 0 to time  $y$  .... The transmittance of the mask cell data 23 to be superposed on the image data 1B is gradually increased up to maximum value between time  $y$  and time  $x$  ( $0 < y < x$ ) ... the transmittance of the mask cell data 23 to be superposed on the image data 1B is maintained... from time  $x$  to time  $z$ , whereas the transmittance of the mask cell data 23 to be superposed on the image data 1A is gradually decreased ... from time  $x$  to time  $w$ .” The times  $x$  and  $y$  relate only to the “mask cell data.”

What is the mask cell data 23? The Examiner is invited to note that the mask *cell* data 23 is not the same as the mask *data* 20- 22. The mask cell data relates only to areas of the display, not the information that is displayed there.

(2) In Myochin a plurality—typically, two—images (e.g., background images, see paragraph 0028) are transitionally switched. There is no disclosure nor any implication of the transparency of only a part of the image, that indicates traffic or features, is selectively made higher according to an elapsed time, as claimed.

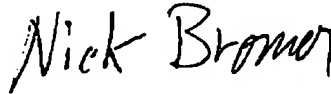
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The Examiner asserts at the bottom of page 6 that the Applicant's arguments are moot because of a new grounds of rejection, but the rejection is unchanged. Therefore, the previous arguments are not moot, and are respectfully repeated by reference.

In view of the aforementioned amendments and accompanying remarks, the claims are in condition for allowance, which action, at an early date, is requested.

Respectfully submitted,

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*I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office (Fax No. (571-273-8300) on August 29, 2009.*

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